

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42966

STATE OF IDAHO,)	2016 Unpublished Opinion No. 586
)	
Plaintiff-Respondent,)	Filed: June 29, 2016
)	
v.)	Stephen W. Kenyon, Clerk
)	
SECRETITA DEE IVERSON,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Hon. Darren B. Simpson, District Judge.

Order denying I.C.R. 35 motion for reduction of sentences, affirmed.

Sara B. Thomas, State Appellate Public Defender; Sally J. Cooley, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before MELANSON, Chief Judge; GRATTON, Judge;
and HUSKEY, Judge

PER CURIAM

Secreita Dee Iverson pled guilty to three counts of delivery of a controlled substance, I.C. § 37-2732(a)(1)(A), and two sentence enhancements for delivery of a controlled substance within 1000 feet of a school, I.C. § 37-2739B(2). In exchange for her guilty pleas, additional charges were dismissed. The district court sentenced Iverson to concurrent unified sentences of twenty-seven years, with minimum periods of confinement of thirteen and one-half years. Iverson filed an I.C.R 35 motion, which the district court denied. Iverson appeals.

A motion for reduction of sentence under I.C.R. 35 is essentially a plea for leniency, addressed to the sound discretion of the court. *State v. Knighton*, 143 Idaho 318, 319, 144 P.3d

23, 24 (2006); *State v. Allbee*, 115 Idaho 845, 846, 771 P.2d 66, 67 (Ct. App. 1989). In presenting a Rule 35 motion, the defendant must show that the sentence is excessive in light of new or additional information subsequently provided to the district court in support of the motion. *State v. Huffman*, 144 Idaho 201, 203, 159 P.3d 838, 840 (2007). Upon review of the record, including any new information submitted with Iverson's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Iverson's Rule 35 motion is affirmed.